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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Ex Parte

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, DC 20554

Re: CC Docket No. 92-237

Dear Mr. Caton:

In accordance with Commission rules, please be advised that on Friday, June 9th, Mr. Gary Fleming, Ms. Dianna Esther, Ms. Phyllis Anderson and the undersigned met with Ms. Marian Gordon, Mr. Michael Specht, Ms. Liz Nightingale and Mr. Scott Schefferman regarding the proceeding listed above. Attached are handouts provided in the meeting.

If you have any questions, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael W. Bennett", is written over the word "Sincerely,". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Attachments

cc: Ms. Marian Gordon
Mr. Michael Specht
Ms. Liz Nightingale
Mr. Scott Schefferman

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NORTH AMERICAN NUMBERING PLAN (NANP)

CC DOCKET No. 92-237

- **Transfer of NANP Administrative Functions**
- **Transfer of CO Code Administration Functions**
- **Funding of NANP Administration**
- **Dispute Resolution**
- **CIC Transition Period**
- **Interstate, IntraLATA Toll Calls**

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1. TRANSFER OF NANP ADMINISTRATIVE FUNCTIONS

- NANP Administration best performed by a single independent entity endorsed by the FCC, but not otherwise associated with any regulatory agency and not closely identified with any industry segment.
- Any telecommunications company with a material interest should be able to participate in any oversight committee.
- The ability to perform NANPA functions requires the following special characteristics and responsibilities:
 - ▶ The ability to combine strong project planning skills, organizational management experience, and interpersonal communication and negotiation skills.
 - ▶ The ability to have a clear understanding of day-to-day business issues, coupled with the capability to provide effective leadership for the industry.
 - ▶ The ability to understand the network--where it is, where it is going--and to effectively determine the legitimacy of numbering requests and thereby manage limited number resources.
 - ▶ The ability to establish strong liaisons with the FCC, Department of Commerce, Caribbean and Canadian authorities, domestic and international standards bodies, and other regulatory agencies; and to serve as the initial contact for the resolution of disputes for the assignment and administration of NANP resources.
 - ▶ The necessary administrative staff to handle the legal, financial, technical, staffing, industry and regulatory issues involving the management of all numbering resources; and the necessary equipment, facilities, and billing arrangements associated with day-to-day management of all numbering resources.

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- ▶ The responsibility to formulate proposals, with industry input, for numbering resources; and the responsibility for NANP development, updates and industry negotiations for all code allocations.
- ▶ The responsibility for monitoring all associated code allocations (e.g., Numbering Plan Area (NPA) codes, Carrier Identification Codes (CICs), Vertical Services Code (VSCs), and 800 and 900 codes).
- ▶ The responsibility for monitoring conformance with published numbering assignment guidelines; and for distributing the most current assignment guidelines to service providers. For example, future numbering considerations will involve various industry segments including, among others: cellular, paging, personal communications, enhanced and information service providers, interexchange carriers and local exchange carriers.

2. TRANSFER OF CO CODE ADMINISTRATION FUNCTIONS

- SBC supports FCC consideration of the transfer and centralization of CO code administration into the new NANPA, but feels that all relevant issues must be fully addressed and resolved in a deliberate and logical fashion.
- Since the impact of CO code administration has significant impacts on local areas in terms of relief plans and dialing plans, state regulatory commissions should be included in any decision regarding transfer or centralization.
- CO code administration functions include four major functional categories:
 - ▶ CO code assignments, administration
 - ▶ Code tracking, forecasting
 - ▶ NPA code relief planning
 - ▶ Code activation (BRIDS, RDBS, LERG expedited notification)

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- Descriptions and issues associated with code administration functions are as follows:

CO Code Assignment and Administration

Functional Activities: Processing of code requests including expedites, validation of criteria, analysis to determine appropriate CO code to assign, documentation, updating code records and any audits required/authorized by CO code assignment guidelines, INC 95-0407-008

Notes:

- ▶ Process lends itself to centralization, but national centralization may not create any additional force efficiencies.
- ▶ Code assignment is not a simple flow-through process. Mechanization is appropriately being used in SWBT, but process requires manual intervention to validate criteria and analyze requirements for code selection.
- ▶ Code administrators need local knowledge of authorized carriers/service areas, toll/local calling areas, potential code conflicts to effectively perform this function.

Code Tracking and Forecasting

Functional Activities: Administers code assignment tracking database including information on assigned and available codes, conducts annual survey of code users as input into code forecasting process, stays current on new technologies, services, markets, etc. to assess impact on projected code requirements.

Notes:

- ▶ Critical to ensuring that relief plans are initiated at the appropriate time.
- ▶ This function requires in-depth knowledge of the national and local trends/plans in the introduction of new technologies/services, local service provider code plans, local regulatory requirements, local economic and business trends.

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NPA Relief Planning

Functional Activities: Determine NPA exhaust period, identify alternative relief methods/attributes, notify industry of pending exhaust via Initial Planning Document, plan and moderate industry meetings to reach consensus on relief plan, notify regulatory body(ies) of consensus relief plan or if consensus not reached, provide relief recommendation and industry comments, notify NANPA of exhaust and formally request code, notify industry of relief plan.

Notes:

- ▶ Relief planning functions are in accordance with industry guidelines, INC 94-1216-004.
- ▶ This function does not lend itself to centralization - it requires in depth knowledge and familiarity of the network layouts, geography, local/toll calling scopes, service providers, dialing methods, local regulatory requirements for an NPA.
- ▶ This function requires a significant amount of direct coordination with service providers. Centralization will result in heavy travel requirements and may result in reduced efficiency and effectiveness.

Code Activation

Functional Activities: Routing and billing data entry for each code into RDBS (Routing DataBase System) and BRIDS (Bellcore Rating Information Data System), notification of industry of pending code activations, code expedites, analysis/resolution of call routing problems.

Notes:

- ▶ Currently, LECs provide input for themselves and other LECs who have contracted with them; other code holders may choose to utilize a 3rd party or arrange with Bellcore to acquire ability to input data themselves.
- ▶ This function should not be centralized on mandatory basis. Accuracy of this input is critical to the operation of the network.
- ▶ Code holders should be allowed to retain the option to contract with a 3rd party to input this data or arrange with Bellcore to input the data themselves.

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- **Staffing:**
 - ▶ Required staffing levels for CO Code assignment functions are dependent on which functions are transferred.
 - ▶ Assuming the first 3 functions (excluding code activation) are transferred, code administration for the NPAs located in the USA would require a minimum of 20 management/technical personnel and 20 clerical personnel. Inclusion of code activation activities would require significant additions to this projection.
- **Transfer Timeframes/Interval:**
 - ▶ With the complexity of CO code administration, FCC should focus on transferring existing NANPA functions first, then assess transfer of CO code assignment responsibilities
 - ▶ Transfer of CO code administration should not be undertaken until existing NANPA functions have been transferred and are fully operational which should require at least one year after the transfer is completed.
 - ▶ Postponing transfer will allow new NANPA to assist in the assessment and planning for transfer of CO code administration responsibilities.
 - ▶ Transfer should be scheduled with no more than one region a quarter transferring to allow adequate time for the new NANPA staff to work with former administrators to ensure a smooth transition.
 - ▶ Premature transfer could have a disastrous impact on the industry if the new administrator is not prepared for the complexities of their new responsibilities.

3. FUNDING OF NANP ADMINISTRATION (NANPA)

- Costs of administration should be shared equally by all who use or otherwise benefit from the NANP.
- Spreading NANP administrative costs among not only Local Exchange Carriers (LECs), but the hundreds of Interexchange Carriers (IXCs), wireless service providers, Competitive Access Providers (CAPs) and other derived service users benefiting from the use and regulation of

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telephone numbers would minimize the cost to each specific contributor.

- The most efficient and equitable method of funding NANP administration is an annual fee charged upon all entities using NANP resources.
- Determination of the annual fee should be based upon the following principles:
 - ▶ All users of NANP resources should share in funding.
 - ▶ Costs of administering funding should not outweigh its benefits.
 - ▶ Funding method should be applied in a competitively neutral manner.
 - ▶ Funding should support current international integrated World Zone 1 structure.
 - ▶ Funding should support an appropriately staffed and qualified organization with specifically defined functions and responsibilities.
 - ▶ Funding should be incentive-neutral to the NANPA/Oversight Committee organizations, and should not be tied to resource allocation.
- Fees paid to support NANPA functions do not equate to ownership of numbers. As the NANP is a national public resource, there are no property rights to numbers.
- The Commission should reject suggestions that fees for the new NANPA be assessed "retroactively". The BOCs have been paying (by funding Bellcore) for NANP administration for ten years. Basing a fee on retroactive use would require the BOCs to pay twice.

4. DISPUTE RESOLUTION

- SBC supports the consensus building process of the industry forums as the best method for obtaining broad support for numbering decisions.
- For resolution of disputes which may arise in the industry, SBC believes that a conciliation process added to the industry forum process would make it more efficient.
 - ▶ The following proposed definitions regarding dispute resolution

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were discussed in the Future of Numbering Forum (FNF):

- **FACILITATION** - The process by which an individual (e.g., a moderator) moves a group along with the objective of reaching consensus.
 - **CONCILIATION** - Process by which an independent "conciliator" runs a meeting of the whole with the express objective of moving along a "non-consensus matter/issue" (as compared with the entire issue) with the objective of reaching consensus. A conciliator would guide and direct the group as a whole. A conciliator would not propose a "binding or non-binding recommendation."
 - **MEDIATION** - The process by which an independent mediator would gather facts and "push" for consensus resolution. If consensus cannot be reached with the group as a whole, a mediator would propose a recommended resolution, but does not "issue a decision."
 - **ARBITRATION** - The typically adversarial process/proceeding by which an independent arbitrator gathers facts, meets with parties individually, and as a whole, and "issues a decision" which would be binding on all parties. An arbitrator may be thought of as a "third-party decision maker."
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- An alternative method for dispute resolution, an adversarial approach such as binding arbitration, might produce faster results—though this point is questionable—but it almost certainly would produce a fragmented industry unable to reach agreement on any policy issues.
 - Parties should retain the right of appeal to the Commission, but only after completion of the agreed upon dispute resolution process, not before.
 - The Commission should continue to provide general oversight over numbering issues and function as the final arbiter on numbering matters.

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5. CIC TRANSITION PERIOD

- SBC supports 18 months for transition of 3 digit to 4 digit FGD CICs. However the transition should last only as long as the 5000 and 6000 series CICs are available for assignment.

6. INTERSTATE, INTRALATA TOLL CALLS

- If SBC can compete for interLATA traffic, then SBC would be willing to support delivery of all toll traffic to the PIC'd carrier(s).